



Entered on Docket  
June 22, 2011

Hon. Linda B. Riegle  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In Re: THE RHODES COMPANIES, LLC

BK CASE NO.: 09-14814-LBR

Chapter 11

**ORDER CONTINUING  
SETTLEMENT CONFERENCE**

**Conference Dates: July 7, 2011  
Conference Time: 11:00 a.m.**

Debtor(s) /

A settlement conference having been held on April 7, 2011 regarding Objection to James Rhodes' proof of claim No. 814-33 (Docket #1149) is hereby continued to July 7, 2011 at 11:00 a.m. before Judge Gregg W. Zive at the C. Clifton Young Federal Building, 5<sup>th</sup> Floor, Courtroom #1, 300 Booth St., Reno, Nevada.

All counsel of record that will be participating in the trial of this case, all parties appearing pro se, if any, and all individual parties must be present.

In case of non-individual parties, counsel shall arrange for a representative, with binding authority to settle, to be present in court for the duration of the settlement conference. Only upon obtaining an order from the settlement conference judge in advance of the settlement conference may a client participate telephonically.

**Any requested exception to the attendance requirements must be submitted to the settlement conference judge for approval in advance of the settlement conference.**

## PREPARATION FOR SETTLEMENT CONFERENCE

No later than four business days before the continued settlement conference each party shall submit a supplemental confidential settlement conference statement to the **chambers of Judge Zive** for in camera review. If not timely submitted, sanctions may be imposed. The supplemental settlement conference statement shall be no longer than 5 double-spaced pages. The supplemental settlement conference statement shall contain the following:

1. A brief statement of the nature of the action.
  2. A concise summary of the evidence that supports your theory of the case, including information documenting your damages claims. You may attach to your statement a limited number of documents or exhibits that are especially relevant to key factual or legal issues.
  3. A brief analysis of the key issues involved in the litigation.
  4. A discussion of the strongest points in your case, both legal and factual, and a frank discussion of the weakest points as well. The court expects you to present a candid evaluation of the merits of your case.

5. A further discussion of the strongest and weakest points in your opponents' case, but only if they are more than simply the converse of the weakest and strongest points in your case.

6. A history of settlement discussions, if any, which details the demands and offers which have been made, and the reasons they have been rejected.

7. The settlement proposal that you believe would be fair.

8. The settlement proposal that you would honestly be willing to make in order to conclude this matter and stop the expense of litigation.

The supplemental settlement conference statement should be delivered to chambers in an envelope clearly marked “Contains Confidential Settlement Brief” or faxed to the settlement conference judge.

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3       The purpose of the supplemental settlement conference statement is to assist the judge in  
4 preparing for and conducting the settlement conference. In order to facilitate a meaningful  
5 conference, your utmost candor in responding to all of the above listed questions is required. The  
6 confidentiality of each statement will be strictly maintained and following the conference, the  
7 statements will be destroyed.

8           **DO NOT SERVE A COPY ON OPPOSING COUNSEL. DO NOT DELIVER OR MAIL**  
9 **THE STATEMENT TO THE CLERK'S OFFICE.**

10          **The settlement conference shall not be continued or vacated without prior approval  
11 of the judge assigned to the case.**

12           **FAILURE TO APPEAR WILL RESULT IN THE IMPOSITION OF SANCTIONS. IF THE**  
13 **MATTER IS SETTLED BEFORE THE SETTLEMENT CONFERENCE DATE, THE PARTIES**  
14 **MUST NOTIFY THE SETTLEMENT CONFERENCE JUDGE'S CALENDAR CLERK SO THAT**  
15 **THE MATTER CAN BE TAKEN OFF CALENDAR.**

16  
17       BNC Notice to:  
18       Nile Leatham  
19       Edward M. McDonald  
20       Shirley S. Cho  
21       Zachariah Larson  
22       Anne M. Loraditch  
23       U.S. Trustee-LV-11

24       Mail Notice to:  
25       Akin Gump Strauss Hauer & Feld  
26       Philip C. Dublin  
27       Meredith A. Lahaie  
28       Abid Qureshi  
29       Christopher Clore  
30       One Bryant Park  
31       New York, NY 10036

32       James I Stang  
33       10100 Santa Monica Blvd. #1100  
34       Los Angeles, CA 90067

35           ###

36           Order Scheduling Settlement Conference NV 7016